

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION**

STEVEN G. MILLER

PLAINTIFF

v.

No. 4:13CV97-MPM-DAS

FAYE NOEL, ET AL.

DEFENDANTS

JUDGMENT

Having considered the file and records in this action, the court finds that the Report and Recommendation of the United States Magistrate Judge was duly served by mail upon the *pro se* plaintiff at his last known address; that more than fourteen days have elapsed since service of the Report and Recommendation; and that no objection to the Report and Recommendation has been filed or served by any party. The magistrate judge's Report and Recommendation should therefore be approved and adopted as the opinion of the court. It is ordered:

1. That the Report and Recommendation of the United States Magistrate Judge is hereby **APPROVED AND ADOPTED** as the opinion of the court.
2. That defendants Ricky Scott, Ed Thigpen, and Mr. Lee are **DISMISSED** with prejudice from this case.
3. That Miller's claims for violations of his right to due process and equal protection under the law are **DISMISSED**.
4. That Miller's claims of retaliation and failure to protect against the remaining defendants, Faye Noel and Marlynn Sterivant, will **PROCEED**.

SO ORDERED, this, the 16th day of May, 2014.

/s/ MICHAEL P. MILLS
CHIEF JUDGE
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF MISSISSIPPI